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SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN 2041 AU  
AUSTRALIA

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**OFFICE OF PETITIONS**

In re Application of  
Silverbrook, Kia  
Application No. 09/693,135  
Filed: July 7, 2003  
Attorney Docket No. MJ21US

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed July 7, 2003, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to timely reply within three months to the non-final Office action mailed October 4, 2001. No extensions of time under the provisions of 37 CFR 1.136(a) were timely obtained. Accordingly, this application became abandoned on January 5, 2002. A Notice of Abandonment was mailed on December 21, 2002.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$110.00 extension of time fee submitted with the petition on July 7, 2003 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's credit card.

The file is now being forwarded to Technology Center 2800 for further examination on the merits.

Telephone inquiries should be directed to Paralegal Liana Chase at (703) 306-0482.

Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy